

An  
Bord  
Pleanála

**Board Direction**  
**BD-015361-24**  
**ABP-315930-23**

The submissions on this file and the Inspector's report were considered at a Board meeting held on 07/02/2024.

The Board decided to refuse permission, generally in accordance with the Inspector's recommendation, for the following reasons and considerations.

### **Reasons and Considerations**

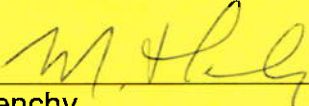
The Board concurred with the Inspector and the Planning Authority on the substantive reason for refusal that being the planning history on this site and the existing use of this area as open space. The Board considered the existing use accorded with the RES zoning objective.

The Board noted that the Sustainable Residential Development and Compact Settlement Guidelines for Planning Authorities have issued since the Inspectors report was prepared but considered having regard to the substantive reasons for refusal that this did not affect the decision.

1. The site on which the development is proposed is located on lands which is subject to a '*Deed of Dedication*' this is a commitment with the council that it remains for the purposes of public open space. In addition, the council have been maintaining this area as public open space for a considerable period. Having regard to the above, it is considered that the proposed development if permitted would result in the loss of existing amenity space which would have a negative impact on the residential amenities of the area, would have a negative impact on biodiversity and therefore, would be contrary to the proper planning and sustainable development of the area.

2. The proposed development would materially contravene a condition of the permission for the existing Knocklyon Housing Estate which provided for 5 No. Play Spaces, the proposed development site being one of these spaces. Condition No. 6 of the then permitted development stated that these spaces be reserved for public open space. The proposed development contravenes this condition and would, therefore, be contrary to the proper planning and sustainable development of the area.

**Board Member**

  
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Mary Henchy

**Date:** 07/02/2024